

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 24-cv-23151-JB

BOOM LANKA BATHIK & GIFTS, LLC,
et al.,

Plaintiffs,

v.

SCANWELL LOGISTICS (MIA), INC.,
et al.,

Defendants,

_____ /

ORDER AFFIRMING MAGISTRATE JUDGE'S ORDER OF REMAND

THIS CAUSE was referred to the Honorable Edwin G. Torres, United States Magistrate Judge, for disposition of Plaintiffs' Motion to Remand, ECF No. [11]. *See* ECF No. [18]. Following briefing by the parties, Magistrate Judge Torres entered an Order granting Plaintiff's Motion to Remand (the "Order"). ECF No. [25]. Defendant Scanwell Logistics (MIA), Inc. filed an appeal of the Order (the "Appeal"). ECF No. [26].

Magistrate Judges are afforded broad discretion in the resolution of non-dispositive matters, but the Court may reconsider any order that is clearly erroneous or contrary to law. *Runton by & through Adult Advocacy & Representation v. Brookdale Senior Living, Inc.*, No. 17-60664-CV, 2018 WL 1083493, at *4 (S.D. Fla. Feb. 27, 2018); Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1). An order is clearly erroneous if "the reviewing court, after assessing the evidence in its entirety, is left with a definite and firm conviction that a mistake has been committed." *Krys v.*

Lufthansa German Airlines, 119 F.3d 1515, 1523 (11th Cir. 1997) (citation omitted). A finding is “contrary to law” if it does not properly apply relevant statutes, case law, or rules of procedure. *United States ex rel. Ragghianti Foundations III, LLC v. Peter R. Brown Constr.*, No. 12-942-CV, 2013 WL 5290108, at *2 (M.D. Fla. Sept. 19, 2013). The Magistrate Judge Rules of the Southern District of Florida Local Rules permit the appeal of a magistrate judge’s order on non-dispositive matters. L. Mag. Judge R. 4(a).

The Court has reviewed Judge Torres’s Order, Defendant’s Appeal, the record, and the relevant legal authorities, and finds that the Order was neither clearly erroneous nor contrary to law. *See* 28 U.S.C.A. § 636(b)(1)(A). Accordingly, it is **ORDERED AND ADJUDGED** that the Appeal, ECF No. [26], is **OVERRULED**, and Judge Torres’s Order, ECF No. [25], is **AFFIRMED**.

This case is **REMANDED** to state court. The Clerk is directed to **CLOSE** this case and take all necessary steps to ensure the prompt remand of this matter and the transfer of this file back to the Circuit Court for the Eleventh Judicial Circuit in and for Miami-Dade County. All pending motions are **DENIED AS MOOT**.

DONE AND ORDERED in Miami, Florida, this 26th day of March, 2025.



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE